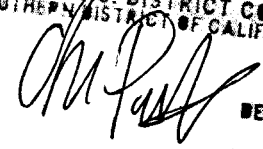


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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:



DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

July 2007 Grand Jury

07 CR 3161 LAB

UNITED STATES OF AMERICA,)	Criminal Case No. _____
)	
Plaintiff,)	<u>I N D I C T M E N T</u>
)	
v.)	Title 8, U.S.C., Secs. 1326(a)
)	and (b) - Deported Alien Found
GENARO SMITH-BALTIHER,)	in the United States
)	
Defendant.)	

The grand jury charges:

On or about June 5, 2007, within the Southern District of California, defendant GENARO SMITH-BALTIHER, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Sections 1326(a) and (b).

//

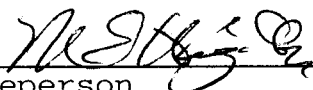
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DDL:nlv:San Diego
11/20/07

1 It is further alleged that defendant GENARO SMITH-BALTIHER was
2 removed from the United States subsequent to July 24, 2006.

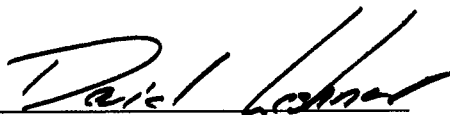
3 DATED: November 20, 2007.

4 A TRUE BILL:

5
6 
7 Foreperson

8 KAREN P. HEWITT
9 United States Attorney

10 By:

11 
12 DAVID D. LESHNER
13 Assistant U.S. Attorney
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